

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

1

The Minutes

July 25, 2005

At 9:33 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Morrison, Associated Justice; Hull, Associate Justice; Cantil-Sakauye, J. and Facey, bailiff.

C045779 THE PEOPLE v. CASTANEDA

Cause called. Kenny N. Giffard argued for appellant. Catherine G. Tennant, Deputy Attorney General, argued for respondent. Cause submitted.

At 9:47 a.m., the court recessed. At 9:48 a.m., the court reconvened.

C046020 MELROSE v. WEINER

Cause called. Richard Melrose argued In Pro Per as appellant. David Weiner argued In Pro Per as respondent. Cause submitted.

At 10:05 a.m., the court recessed until 9:30 a.m., Monday, August 22, 2005.

C047269 THE PEOPLE v. WISEMAN

(Not for Publication)

The judgment is affirmed.

BUTZ, J.

We Concur: Blease, Acting P.J.
Morrison, J.

C047930 THE PEOPLE v. MANWARREN

(Not for Publication)

The judgment is affirmed.

SIMS, Acting P.J.

We Concur: Raye, J.
Hull, J.

C045709 COACHMEN INDUSTRIES, INC. v. FREIGHTLINER LLC et al.

(Not for Publication)

The order denying Coachmen's petition to compel arbitration is affirmed. Respondents are awarded their costs on appeal. (Cal. Rules of Court, rule 27(a).)

DAVIS, J.

We Concur: Blease, Acting P.J.
Butz, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

2

The Minutes

July 25, 2005, continued

- C041714 THE PEOPLE v. HILL, et al. (Not for Publication)**
THE COURT:
 It is ordered that the opinion filed herein on June 30, 2005, be modified...
 ... This modification does not constitute a change in the judgment.
BY THE COURT:
 BLEASE, Acting P.J.
 DAVIS, J.
 BUTZ, J.
- C044964 THE PEOPLE v. SCOTT et al. (Not for Publication)**
THE COURT:
 It is ordered that the opinion filed herein on July 19, 2005, be modified...
 ... This modification does not effect a change in the judgment.
 SIMS, Acting P.J.
 DAVIS, J.
 MORRISON, J.
- C046253 THE PEOPLE v. CLUFF**
BY THE COURT:
 Appellant's petition for rehearing is denied.
 BLEASE, Acting P.J.

July 26, 2005

- C046082 THE PEOPLE v. BRYANT (Not for Publication)**
 The judgment is affirmed.
 Davis, Acting P.J.
We Concur: Morrison, J.
 Cantil-Sakauye, J.
- C048467 THE PEOPLE v. ZANOTTO (Not for Publication)**
 The judgment is affirmed...
 DAVIS, J.
We Concur: Sims, Acting P.J.
 Morrison, J.
- C048633 THE PEOPLE v. BELFLOWER (Not for Publication)**
 The judgment is affirmed.
 DAVIS, J.
We Concur: Sims, Acting P.J.
 Morrison, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

3

The Minutes

July 26, 2005, continued

**C047045 TRUCK INSURANCE EXCHANGE v. ASSURANCE COMPANY OF AMERICA
et al. (Not for Publication)**

The judgment is affirmed.

SCOTLAND, P.J.

We Concur: Davis, J.

Butz, J.

**C048298 RIO LINDA (UNION ELEMENTARY) SCHOOL DISTRICT v. WORKERS'
COMPENSATION APPEALS BOARD, JANETTE SCHEFTNER
(CERTIFIED FOR PUBLICATION)**

The decision of the WCAB is annulled and the matter is remanded for
further proceedings...

CANTIL-SAKAUYE, J.

We Concur: Davis, Acting P.J.

Butz, J.

**C050082 THE PEOPLE v. WASHINGTON
BY THE COURT:**

Appellant's motion for reconsideration is treated as a petition for
rehearing and as such is denied.

BLEASE, Acting P.J.

July 27, 2005

C041047 THE PEOPLE v. CRUZ (Not for Publication)

The judgment is reversed, and the matter is remanded for further
proceedings consistent with part VC, *ante*.

SCOTLAND, P.J.

We Concur: Davis, J.

Morrison, J.

C045855 THE PEOPLE v. DIAZ (Not for Publication)

The judgment is modified... In all other respects the judgment is affirmed.

BLEASE, Acting P.J.

We Concur: Nicholson, J.

Hull, J.

C044371 MORGAN v. ADAMS et al. (Not for Publication)

The judgment is affirmed. Defendants shall recover their costs on appeal.
(Cal. Rules of Court, rule 27(a).)

ROBIE, J.

We Concur: Morrison, Acting P.J.

Butz, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

4

The Minutes

July 27, 2005, continued

C047525 **CITY OF DAVIS v. HEAD, as Trustee, etc., et al.** **(Not for Publication)**
C047786

The judgment is affirmed...

ROBIE, J.

We Concur: Raye, Acting P.J.
 Morrison, J.

C046953 **In re J.G.; THE PEOPLE v. J.G.** **(Not for Publication)**

The judgment is affirmed.

ROBIE, J.

We Concur: Scotland, P.J.
 Davis, J.

July 28, 2005

C046096 **THE PEOPLE v. RUILOBA** **(Certified for Partial Publication)**

The judgment is modified... As so modified, the judgment is affirmed.

MORRISON, J.

We Concur: Sims. Acting P.J.
 Butz, J.

C046529 **THE PEOPLE v. CAMACHO** **(Not for Publication)**

The arming enhancement is reversed. The judgment is modified... As modified, the judgment is affirmed.

BLEASE, Acting P.J.

We Concur: Robie, J.
 Butz, J.

C047066 **THE PEOPLE v. AJADI** **(Not for Publication)**

The denial of defendant's motion to vacate his 1991 and 1994 convictions is affirmed.

CANTIL-SAKAUYE, J.

We Concur: Sims, Acting P.J.
 Robie, J.

C048907 **THE PEOPLE v. MEZQUITA** **(Not for Publication)**

The judgment is affirmed.

DAVIS, Acting P.J.

We Concur: Nicholson, J.
 Robie, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

5

The Minutes

July 28, 2005, continued

C046191 In re J.R.; THE PEOPLE v. J.R. (Not for Publication)

The judgment is affirmed.
BLEASE, Acting P.J.

We Concur: Robie, J.
Butz, J.

**C045126 THE PEOPLE v. ROSE
BY THE COURT:**

Appellant's petition for rehearing is denied.
SIMS, Acting P.J.

July 29, 2005

C045987 THE PEOPLE v. REYNOSO (Not for Publication)

The judgment is affirmed.
RAYE, Acting P.J.

We Concur: Hull, J.
Robie, J.

C047808 THE PEOPLE v. HUGHES (Not for Publication)

The sentence imposed for he conspiracy conviction on count 7 in case
No. 03-452 is stayed... The judgment is otherwise affirmed.
RAYE J.

We Concur: Sims, Acting P.J.
Hull, J.

C048192 THE PEOPLE v. HILL (Not for Publication)

The cause is remanded with directions... The trial court is further directed
to forward a certified copy of the amended abstract of judgment to the
Department of Corrections.

BLEASE, Acting P.J.
We Concur: Hull, J.
Butz, J.

C048924 THE PEOPLE v. DUNAGAN (Not for Publication)

The judgment (order denying motion to modify restitution fine) is affirmed.
RAYE, J.

We Concur: Scotland, P.J.
Hull, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

6

The Minutes

July 29, 2005, continued

- C039012 DOUMIT v. BOARD OF PHARMACY (Not for Publication)**
The judgment is affirmed. Doumit shall pay the Board's costs of this appeal. (Cal. Rules of Court, rule 27(a).)
MORRISON, J.
We Concur: Scotland, P.J.
Butz, J.
- C046674 CITY OF CITRUS HEIGHTS v. MORGAN et al. (Not for Publication)**
The judgment is affirmed. Costs on appeal are awarded to respondent. (Cal. Rules of Court, rule 27(a).)
CANTIL-SAKAUYE, J.
We Concur: Raye, Acting P.J.
Hull, J.
- C046874 SHANNON v. MARSHALL (Not for Publication)**
The judgment is reversed. The trial court is ordered to stay the proceedings...
MORRISON, J.
We Concur: Blease, Acting P.J.
Butz, J.
- C047783 CITY OF STOCKTON et al. v. LAND UTILIZATION ALLIANCE and SHADOWBIRD, INC. (Not for Publication)**
The order disqualifying Holland is vacated. The trial court is directed to issue a new order denying the motion. Shadowbird shall recover its costs of appeal.
DAVIS, J.
We Concur: Scotland, P.J.
Butz, J.